

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT

UNITED STATES OF AMERICA     )  
  )  
                  v.                    ) Criminal Action No.  
  ) 2:16-cr-00084-1  
ALISON GU,                            )  
                  Defendant.         )

MOTION TO REVOKE  
CONDITIONS OF RELEASE

As recorded on Monday, April 3, 2017  
United States District Court  
for the District of Vermont  
Burlington Division  
Federal Building, 11 Elmwood Avenue  
Burlington, Vermont 05402

Before the Honorable John M. Conroy

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1 MONDAY, APRIL 3, 2017;

2 -----  
3 THE CLERK: Please be seated. Your Honor, the  
4 matter before the court this afternoon is criminal action  
5 16-cr-84-1, United States of America versus Alison Gu, who's  
6 present in the court room this afternoon, with Assistant  
7 Federal Public Defender David McColgin; representing the  
8 Government is Assistant United States Attorney Michael  
9 Drescher, and we're here on the Government's motion to  
10 revoke conditions of release.

11 THE COURT: Mr. Drescher, preliminarily, let me  
12 just inquire, which prong under 3148 is the Government  
13 proceeding on; probable cause to believe a new offense was  
14 committed, or that another violation of pre-trial release  
15 was imminent?

16 MR. DRESCHER: The former, Your Honor, that a crime  
17 was committed, a violation of 1017.

18 THE COURT: You may call your first witness.

19 MR. DRESCHER: We call Special Agent Jeremy Stalla,  
20 Your Honor.

21 THE CLERK: Please raise your right hand, and state  
22 your name for the record, sir.

23 SPECIAL AGENT STALLA: Jeremy Stalla.

24 THE CLERK: Do you solemnly swear that the evidence  
25 you shall give relative to the cause now under consideration

1 shall be the whole truth and nothing but the truth so help  
2 you God?

3 SPECIAL AGENT STALLA: Yes, sir.

4 THE CLERK: Please be seated, sir.

5 (SPECIAL AGENT JEREMY STALLA, having been administered the  
6 oath to tell the whole truth and nothing but the truth,  
7 testifies as follows:)

8 DIRECT EXAMINATION BY MICHAEL P. DRESCHER, ASST. UNITED  
9 STATES ATTORNEY:

10 Q. Sir, where are you employed?

11 A. I work for the U.S. Department of State doing like  
12 security service. My current duty station is St. Albans,  
13 Vermont.

14 Q. What is your position?

15 A. I'm a Special Agent.

16 Q. Are you the primary case agent involved in the  
17 investigation leading to the prosecution of the Defendant  
18 Ms. Gu?

19 A. That's correct.

20 Q. And you swore out at least one, I think more than  
21 one, search warrant affidavits in connection with this  
22 investigation?

23 A. Yes.

24 Q. I'm going to show you a series of exhibits and ask  
25 you about them.

1 THE COURT: Has Mr. McColgin seen those?

2 Q. He has. I have copies for Your Honor, as well.

3 I'm going to put in front of the witness Exhibit  
4 1 and Exhibit 7. Have you seen these documents before?

5 A. Yes, sir.

6 Q. Showing you Exhibit 7, can you tell us what that  
7 is, please?

8 A. This is an official complaint filed by the  
9 Plaintiff Deborah Concepcion versus the Defendants Matthew  
10 Able and I. Chen.

11 Q. And in what court was this -- is that complaint  
12 filed?

13 A. This is a Brevard County 18th Judicial Circuit  
14 Court.

15 Q. Brevard County is located where?

16 A. In Florida.

17 Q. Did you obtain that document?

18 A. Yes, I did.

19 Q. And how did you go about obtaining it?

20 A. I contacted the court clerk from Brevard County.

21 Q. And did you give them a docket number, or what did  
22 you give them?

23 A. I gave them a docket number.

24 Q. I'd like to show you Exhibit -- I turn your  
25 attention now to Exhibit 1, and ask you, what is that

1 document, Exhibit 1?

2 A. This is a transcript from the summary judgment in  
3 the same case.

4 Q. You said a "transcript of the summary judgment,"  
5 you mean a transcript of the hearing?

6 A. That's correct.

7 Q. And the date of that hearing was what?

8 A. August 16, 2016.

9 Q. And did you obtain this document, that is, Exhibit  
10 1?

11 A. Yes, I did.

12 Q. And how did you obtain that?

13 A. From the clerk of court from Brevard County.

14 Q. Now Exhibit 1 consists of approximately 12 or 13  
15 pages of transcript, itself; is that right?

16 A. That's true.

17 Q. And then the final four pages of Exhibit 1 appear  
18 to be exhibits, do they not?

19 A. That's true.

20 Q. And when you asked -- well, I guess let me ask  
21 this, what is it that you asked the Brevard County Court for  
22 that prompted them to give you that which has been marked as  
23 Exhibit 1?

24 A. I was contacted by the Plaintiff of this case,  
25 Deborah Concepcion regarding this case. She actually

1 provided me the first copy of this case -- of this summary  
2 just to keep me in the loop of her case. When I reviewed  
3 the documents, I noticed that there was a seal used by I.J.  
4 Chen (phonetic), and that's when I requested the official  
5 copy from the court.

6 Q. And so it was your request to the court that  
7 prompted you to receive that which is marked as Exhibit 1?

8 A. That's correct.

9 Q. Now turning to the -- and you had a chance to  
10 review the transcript that is Exhibit 1?

11 A. Yes.

12 Q. And is it fair to say that it is a transcript, the  
13 first 12 pages are a transcript of the court hearing in the  
14 case of Concepcion versus Able and Chen?

15 A. Yes.

16 Q. And that the final four pages, the exhibits,  
17 consist of two pages of --

18 MR. MCCOLGIN: Your Honor, I would object to  
19 labeling these as exhibits. There's no indication,  
20 whatsoever, that these were exhibits, or that they were  
21 introduced at the time of the hearing. All we know is from  
22 the agent that they appear to be attached to the transcript.  
23 We don't know how they got attached to it.

24 And I don't believe there's any reference in the  
25 transcript, itself, to attached exhibits. So I would object

1 to any reference to those four pages as being exhibits to  
2 that hearing.

3 THE COURT: Well, they haven't -- the Assistant  
4 United States Attorney hasn't offered them for admission, so  
5 I think this line of inquiry might be improper, at this  
6 point, without an offer of admission.

7 MR. MCCOLGIN: I would object on that ground, as  
8 well, Your Honor.

9 Q. I'm trying to authenticate and establish the  
10 relevance of --

11 THE COURT: Okay.

12 Q. -- of the exhibits, Your Honor.

13 THE COURT: The objection is overruled.

14 Q. Setting the exhibit aside for a moment, you've had  
15 a chance to talk to Ms. Concepcion, the Plaintiff in the  
16 Florida lawsuit?

17 A. Yes.

18 Q. And is it correct that Ms. Concepcion was the  
19 seller of a piece of real estate in Cocoa Beach, Florida?

20 A. Yes.

21 Q. And that the complaint that is Exhibit 7 identifies  
22 the property as being on Cedar Avenue in Cocoa Beach?

23 A. Yeah, 385 Cedar Avenue, Cocoa Beach, Florida.

24 THE COURT: Mr. Drescher, your inquiry is leading  
25 the witness to (unclear-voice lowered). Do you think you



1 can (unclear)?

2 Q. I will try to do so, Your Honor. I was trying to  
3 sort of -- in the interest of laying a foundation, but I  
4 will -- I'll open it up a little bit.

5 What did Ms. Concepcion tell you about the  
6 lawsuit?

7 A. Essentially she told me there was an agreement --

8 MR. MCCOLGIN: Objection, Your Honor. The  
9 statements of a litigant? This is, first of all, hearsay.  
10 I understand that hearsay could be admissible, but this is  
11 hearsay coming from a litigant who has every incentive, in  
12 fact a clear monetary incentive --

13 THE COURT: Hm-hmm.

14 MR. MCCOLGIN: -- to state things in a way perhaps  
15 mostly that would benefit her position. So I would object  
16 to any hearsay statements from Ms. Concepcion.

17 THE COURT: Okay. The objection is overruled.  
18 Hearsay is permissible in this action.

19 Mr. McColgin, I will view this testimony in a  
20 proper light with the understanding that it's coming from a  
21 litigant who has a motivation (unclear-voice lowered), but  
22 it really goes to the weight of the evi -- to the motive to  
23 the evidence.

24 Q. In light of the objection, let me narrow the  
25 question a little bit. What did Ms. Concepcion tell you, if

1 anything, about the subject matter of the litigation?

2 A. The case was in dispute of some furniture that was  
3 agreed-upon to be sold, personal property in the house that  
4 was agreed-upon between Ms. Concepcion and I. Chen and Matt  
5 Able to purchase the personal property located in the  
6 house.

7 Q. The house -- when you say "the house," what do you  
8 mean?

9 A. The 385 Cedar Lane, Cocoa Beach, Florida.

10 Q. When was the last time you spoke with Ms.  
11 Concepcion?

12 A. She sent me a message last week.

13 Q. With regard to Exhibit 1, the transcript of the  
14 hearing, do you have reason to believe that the person  
15 identified in that transcript as "Ms. Chen" is the Defendant  
16 Ms. Gu?

17 A. Yes.

18 Q. What, if any, connection does Ms. Gu have to the  
19 property identi -- the Cedar Beach -- the Cedar Avenue  
20 property, Cocoa Beach?

21 A. I, during the course of my investigation, I  
22 uncovered that I. Chen and Matthew Able committed bank fraud  
23 in order to receive funds in order to purchase this property  
24 in Cocoa Beach, Florida.

25 MR. MCCOLGIN: Your Honor, these are all conclusory

1 statements that actually go to allegations in the indictment  
2 that are very much in dispute. I would object to this  
3 coming in as testimony.

4 THE COURT: I think the agent has expressed an  
5 opinion; it is what it is, it's his opinion.

6 MR. MCCOLGIN: Very well.

7 Q. Is "I. Chen" a name that is associated with the  
8 Defendant Ms. Gu?

9 A. Yes.

10 MR. MCCOLGIN: Again, Your Honor, I object to his  
11 expressing what appears, at this point, to simply be an  
12 opinion.

13 Q. I'm showing you what's been marked --

14 THE COURT: Wait, I'll give you (unclear).

15 Q. I'm sorry.

16 THE COURT: What do you say to the Defendant?

17 Q. I will withdraw the question for now, I will ask  
18 a -- I'm going to show the witness some exhibits, too,  
19 perhaps make the question less objectionable.

20 THE COURT: Mr. Drescher, I assume you are no  
21 relation to the Lois Drescher who's the court -- the court  
22 order in this case?

23 Q. That is an accurate assumption, so far as I know --  
24 so far as I'm aware, Your Honor.

25 Showing you what's been marked as Exhibit 4. What

1 is Exhibit 4?

2 A. These are credit cards and bank cards that we  
3 seized during the search warrant of 7 Edith Place, which  
4 have the names "I. Chen," "Jing Chow," (phonetic), "I. Jen  
5 Chen," (phonetic), "I.J. Chen," (phonetic), "I. Chen."  
6 These were discovered in Ms. Gu's wallet located inside of  
7 her purse.

8 Q. A couple of follow-up questions. You said "these  
9 were discovered in Ms. Gu's wallet inside of her purse."  
10 When were they discovered?

11 A. During the execution of the search warrant.

12 Q. And was the search of where, or of what?

13 A. It was the search warrant of her property at 7  
14 Edith Place, Cheshire, Connecticut.

15 Q. I move the admission of Exhibit 4, Your Honor.

16 THE COURT: Any objection?

17 MR. MCCOLGIN: I object, Your Honor. If I may  
18 inquire of the witness?

19 THE COURT: Sure.

20 VOIR DIRE EXAMINATION BY DAVID L. MCCOLGIN, ASST. FEDERAL  
21 PUBLIC DEFENDER:

22 Q. In Exhibit 4 -- indicates at the top that these  
23 items were found in the master bathroom, correct?

24 A. You're correct.

25 Q. On top of the sink within a make-up bag.

1 A. Yes, I'm sorry, I misspoke, you are correct.

2 Q. So they were not found on Ms. Gu.

3 A. They were found in her residence, you're correct.

4 Q. They were found in a --

5 A. I apologize.

6 Q. -- residence also shared by Mr. Able.

7 A. That's correct.

8 MR. MCCOLGIN: Your Honor, I object on relevance  
9 grounds.

10 THE COURT: Mr. Drescher.

11 MR. DRESCHER: I think the identity of the person  
12 who participated in a hearing, in the Brevard County action  
13 that is Exhibit 1, is relevant to establishing whether  
14 there's probable cause for a violation of section 1017. The  
15 fact that credit cards were found in the Defendant's  
16 residence by the name of "I.J. Chen" (phonetic) certainly is  
17 relevant to establishing whether that is a name she used.

18 THE COURT: I agree. The Government has  
19 essentially established that the "I. Chen," who is reflected  
20 in this transcript from Brevard County, is the same  
21 individual who was charged in this court, and I think the  
22 evidence is filed with the court, and 4 is admitted.

23 BY MR. DRESCHER:

24 Q. Showing you now what has been marked as Exhibit 5.  
25 Is it correct that Exhibit 5 is a page from the power point

1 presentation that you've prepared?

2 A. Yes, it is.

3 Q. I'm going to draw your attention to the left side  
4 of Exhibit 5. It appears to be a New Hampshire photo ID; is  
5 that correct?

6 A. That's correct.

7 Q. And did you obtain that photo ID?

8 A. Yes, I did -- well, I mean I received -- this came  
9 from the Department of Motor Vehicles of New Hampshire, but  
10 we never located the actual physical ID.

11 Q. The New Hampshire DMV sent you a copy of this ID?

12 A. That's correct.

13 Q. Did you investigate with the help of the New  
14 Hampshire DMV as to how this identification was generated?

15 A. Yes, I did.

16 Q. Can you explain to the court how you went about --  
17 or what your investigation revealed relative to the  
18 generation of the "I.J. Chen" New Hampshire identification  
19 card?

20 A. We were able to determine that a state of Florida  
21 certificate of birth was used which was in the name of "Hoa  
22 Win," (phonetic). That document was accompanied by a  
23 Montgomery County, Alabama Court Order and certificate of  
24 name change from "Hoa Win" to "I.J. Chen."

25 In addition, a Social Security card was provided,

1 number 589-01-7390 in the name of "I.J. Chen" issued  
2 December 3rd, 2014, as well as a Johnson State College ID  
3 card issued in 2015 to "I.J. Chen." Those were the  
4 documents used at the time of application to obtain this  
5 document -- this driver's -- nondriver ID card.

6 Q. With regard to the Montgomery County, Alabama Court  
7 Order purporting to change the name of "Win" to "Chen," this  
8 was a document that had been provided to the DMV?

9 A. Yes.

10 Q. And did you do anything to check on whether that  
11 was a real document?

12 A. Yes, we contacted --

13 THE COURT: What is the "real document"?

14 Q. The Alabama Court Order changing the name from  
15 "Win" to "Chen." What did you do to check on whether that  
16 was a real document?

17 A. We contacted the Montgomery County, Alabama Court  
18 for a second time because we had contacted them for the Gu  
19 identity, as well, and again, they informed us that the  
20 document was fraudulent; that the numbering scheme on the  
21 document didn't match their numbering scheme; that the --  
22 that there was no record of a name change from "Win" to  
23 "Chen" on any date; that the statute cited on the document  
24 was not a statute in Alabama, and so forth.

25 Q. Did the document purport to have a court seal?

1 A. Yes.

2 Q. I'm showing you what's been marked as Exhibit 6.  
3 What is Exhibit 6?

4 A. The top part of the photo shows one of three notary  
5 stamps that we found. This is the actual machine that is  
6 used to press a notary stamp or a court stamp, we found  
7 three of those. Below it is a gold seal showing what the  
8 stamp looks like. We also -- we found a number of those  
9 blank gold seals at the residence, as well.

10 Q. The item that is depicted in Exhibit 6, have you  
11 seen that item physically with your own eyes?

12 A. Yes, I have.

13 Q. And where did you encounter that item?

14 A. It was found in the kitchen, in a counter.

15 Q. Where? Where?

16 A. 7 Edith Place in the kitchen.

17 Q. You said "7 Edith Place"?

18 A. That's correct, in Cheshire, Connecticut.

19 Q. And who lives there -- or who lived there?

20 A. Ms. Gu, Matthew Able and their children -- and her  
21 children.

22 Q. Did you have a search warrant to search that  
23 residence?

24 A. Yes, I did, yes.

25 Q. The seal that is created by the item on Exhibit 6,



1     how does that compare to the seal that was on the  
2     name-change document from the Alabama Court that changed the  
3     name -- purportedly changed the name from "Win" to "Chen"  
4     that you mentioned earlier?

5           A.     It appears to be the exact same.

6           Q.     During the course of your investigation, did you  
7     come upon a Social Security number that was originally  
8     issued to the person named "Wo T. Win" (phonetic)?

9           A.     Yes.

10          Q.     And based upon your investigation, was that Social  
11     Security number used in the -- in -- let me withdraw that  
12     question for a moment, please.

13                 And what, if anything, did you do relative to that  
14     Social Security number with regard to your investigation in  
15     this matter?

16          A.     I confirmed that the Social Security was issued at  
17     the time -- or near the time of birth to "Ho Win"  
18     (phonetic), and that Ho Win had subsequently died in  
19     California. I also confirmed with the Social Security  
20     Administration that Social Security numbers are never  
21     reissued after the time of death to any person.

22          Q.     Did you use that Social Security number to pursue  
23     any financial investigation?

24          A.     Yes, I did.

25          Q.     And can you briefly summarize what that

1 investigation turned up -- was that Social Security number  
2 used and recently?

3 A. Yes, the "I.J. Chen" using the birth certificate  
4 and -- the birth date and the Social Security number of Ho  
5 Win applied for multiple bank loan -- applied for and  
6 received multiple bank loans and purchased several  
7 properties.

8 THE COURT: Who was the applicant?

9 A. The applicant was -- for the bank --

10 THE COURT: For the bank loan for the property  
11 purchased, who's --

12 A. I.J. Chen, Your Honor.

13 Q. Now the original "Wo P. Win" (phonetic), did your  
14 investigation turn up whatever happened to that person?

15 A. The person died in the state of California. As a  
16 child. I don't have the exact date of death in front of me,  
17 but she died as a young child.

18 Q. I move the admission of Exhibit 5.

19 THE COURT: 5, being the --

20 Q. The power point presentation that includes the  
21 driver's license.

22 MR. MCCOLGIN: Your Honor, I object on relevance  
23 grounds, I don't think there's a sufficient connection here.

24 THE COURT: Well, I think the Government is  
25 offering this to show that the "I. Chen" who was referenced

1 in the Brevard County civil action is the "I. Chen" or the  
2 individual charged in this court, so the court will admit 5  
3 for that reason.

4 Q. Agent Stalla, have you had occasion to compare the  
5 photograph of the New Hampshire "I. Chen" ID that is Exhibit  
6 5 to the Defendant in this case?

7 A. Yes.

8 Q. And what, if any, conclusions have you drawn?

9 MR. MCCOLGIN: Your Honor, I would object to this.  
10 I mean I think the court can look at the photo, it's a  
11 blurry photo, I don't think that we -- I don't think he's  
12 particularly expert in identification from a photo.

13 THE COURT: Well, I'm not sure it takes an expert.  
14 It's lay testimony, I'll take the answer.

15 A. So what was interesting with the photo, Your  
16 Honor, --

17 THE COURT: Answer the question.

18 Q. Try to narrow the-- the question was pretty narrow.  
19 By comparing the photo that is on Exhibit 5 to the  
20 Defendant in this action, what, if any, conclusions have you  
21 drawn?

22 A. It appears to be the same person, to me.

23 Q. Have I moved the admission of Exhibit 6? If not, I  
24 move the admission of Exhibit 6, as well.

25 THE COURT: Any objection?

1 MR. MCCOLGIN: I object just on general relevance  
2 grounds, Your Honor.

3 THE COURT: I have one question of the witness.  
4 These gold stamps which state "Probate Court Montgomery  
5 County," were these with the device?

6 A. Yes, sir.

7 THE COURT: 6 is admitted.

8 Q. Your Honor, as I try to continue to establish the  
9 relevance of the exhibits, Exhibit 1, in particular, I would  
10 ask Your Honor to take judicial notice of Document 100 in  
11 this court's docket, which I'm handing up. I've highlighted  
12 on the page I've handed to Your Honor.

13 This is a motion that was filed by Ms. Gu in recent  
14 weeks seeking permission to travel, where it was specified  
15 that she would be residing at the address in Cocoa Beach  
16 that is referenced in the complaint that is Exhibit 7. I  
17 would ask Your Honor to take notice of that as an admission  
18 of the Defendant.

19 THE COURT: Any objection?

20 MR. MCCOLGIN: No objection, Your Honor.

21 THE COURT: The court will take notice of the fact  
22 that the Defendant's motion for the permission to travel to  
23 Cocoa Beach referenced the same address that is the subject  
24 of the civil action in Brevard County.

25 Q. When you spoke with Ms. Concepcion last week, what,

1 if anything, did she say to you about recently having seen  
2 Ms. Chen?

3 A. She told me that Ms. Chen was at the 385 Cedar  
4 Lane, Cocoa Beach, Florida address, and that a number of  
5 building materials had just been dropped off at the  
6 residence.

7 Q. Your Honor, I move the admission of Exhibit 7. I  
8 believe its relevance has been established to -- by virtue  
9 of the fact there's litigation over the recent sale of the  
10 Cocoa Beach property naming, among its Defendants, an "I.  
11 Chen," and the connection of that address and our  
12 Defendant -- and that name and our Defendant have been  
13 established, such that Exhibit 1, which is a hearing  
14 transcript relative to that litigation, which is really the  
15 heart of our argument, can be put into context.

16 THE COURT: Mr. McColgin, I take it with the  
17 Government's offer, that they have offered 7 for admission  
18 for the limited purpose to show that there is a civil action  
19 pending in Brevard County. I'm not going to take into  
20 account anything set forth in the complaint, other than that  
21 there is a civil action pending concerning this real  
22 property.

23 MR. MCCOLGIN: For those purposes, we have no  
24 objection, Your Honor.

25 THE COURT: So admitted.

1 Q. With regard to Exhibit 1, Agent Stalla, and with  
2 Your Honor's permission, I intend to lead just a couple of  
3 short questions here, I think we've already covered it, but  
4 just for the train of thought, and should there be an  
5 objection, I'll refrain.

6 Exhibit 1 consists of a transcript and four  
7 additional pages; is that correct?

8 A. Yes.

9 Q. And you obtained these from the same Brevard County  
10 Court in which the complaint that is Exhibit 7 was filed,  
11 correct?

12 A. That's correct.

13 Q. And the docket number or the hearing that is  
14 Exhibit 1 is the same as the complaint; is that correct?

15 A. That's correct.

16 Q. And during the course of the transcript portion of  
17 Exhibit 1, there is at least one, perhaps more than one  
18 statement attributed to a Ms. Chen; is that correct?

19 A. That's correct.

20 Q. And among the materials that are -- that were  
21 provided to you by the court that are also in Exhibit 1,  
22 there are also two pages of -- relating to a notarization of  
23 a document purporting to have been signed by a Ms. Chen; is  
24 that correct?

25 A. That's correct.

1 Q. Your Honor, I intend to get into the substance of  
2 Exhibit 1 a little bit more, but at this point, I think its  
3 relevance has been established and authenticity for our  
4 purposes has been established under the admission of Exhibit  
5 1.

6 THE COURT: Objection?

7 MR. MCCOLGIN: Your Honor, I object on the grounds  
8 that we simply don't know why these documents were attached.  
9 Again, they are not referred to in the transcript. There's  
10 no reference to exhibits or exhibits being attached.  
11 There's nothing on the papers indicating, in and of  
12 themselves, that they are in fact exhibits or that they  
13 would be introduced as part of any hearing.

14 The only thing that we have is the last page  
15 appears to be a U.S. Postal Service receipt, indicating that  
16 a Matthew Able sent these to Scott Lieberman, who I believe  
17 is the attorney for the Plaintiff. Brett Hyde -- yeah,  
18 Scott Lieberman and Brett Hyde. Brett Hyde is the attorney  
19 for the complainant. So we don't know who submitted these,  
20 why they were submitted. Given that we don't know the  
21 origin of these documents, I would object to them being  
22 admitted.

23 THE COURT: Well, in the transcript, Ms. Chen  
24 argues before the court asking why her response -- or  
25 Mr. Able's response and her response to the motion for

1 summary judgment was not considered by the court. These  
2 documents at issue were labeled as declaration in support or  
3 response to summary judgment. They bear the court's docket  
4 numbers, they bear the court's case number. It appears that  
5 these were filed by the defendants in the civil action, and  
6 accordingly they are admitted.

7 Q. Agent Stalla, I'd like to draw your attention to  
8 the third to last and second to the last pages of Exhibit 1,  
9 please. Do you see the third to last page?

10 A. Yes.

11 Q. It has the title Certificate of Acknowledgment of  
12 Execution of an Instrument?

13 A. I do.

14 Q. Actually, before I ask you about this specific  
15 page, during your course of your career work in the State  
16 Department, have you been stationed outside of your current  
17 duty station?

18 A. Yes, sir.

19 Q. Fair to say you've been around the world?

20 A. I've served at three U.S. Embassies.

21 Q. And is it -- do United States Embassies provide  
22 notarization services to persons who may have business to  
23 conduct in the United States?

24 A. Yes, they do.

25 Q. The page that we have just identified on Exhibit 1,



1 Certificate of Acknowledge of Execution of an Instrument,  
2 can you describe what that is, please?

3 A. Well, this is a document that was prepared by  
4 the -- purportedly prepared by the U.S. Embassy in  
5 Singapore, and it lists the vice consul who is performing  
6 the notary service.

7 Q. And the date?

8 A. August 5th, 2016.

9 Q. And the following page.

10 A. The following page is something that was prepared  
11 that, I believe, by the person asking for the notary, in  
12 this case, I. Chen. Essentially asking to sign this in  
13 front of the notary and get it notarized.

14 Q. Have you -- do you recognize the name of the person  
15 who appears to have notarized and signed the two pages we've  
16 talked about?

17 A. I didn't recognize the name, but I was able to look  
18 up the name in our -- in our global e-mail system.

19 Q. That's Andrew Aylward (phonetic); is that  
20 correct?

21 A. I believe that's how you say it, yes.

22 THE COURT: I can't hear you.

23 A. I believe so. I believe that's the way to  
24 pronounce it, Andrew Aylward.

25 Q. Did you show Mr. Aylward copies of the two pages

1 we've just been talking about?

2 A. Yes, I sent him a copy.

3 Q. And why did you do that?

4 A. I was trying to see if he could verify the  
5 authenticity of the seal and his signature.

6 Q. What did he say?

7 A. He said that it appeared to look like his  
8 signature. As for the notary stamp, it was hard for him to  
9 tell because it wasn't an original notary stamp.

10 THE COURT: Which page are you referencing now?

11 A. The third -- third to the last, the Certificate of  
12 Acknowledgment of Execution of an Instrument.

13 THE COURT: Tell me again what he said.

14 A. He told me that it did appear to look like his  
15 signature, and the stamp appeared to look like a seal of the  
16 U.S. Department of State, but because it was a photocopy,  
17 you know, and it's not the embossed, raised seal, he was  
18 unable to say if that was an authentic seal or not.

19 Q. Fair to say he thought the copy looked legit?

20 A. Yes.

21 Q. Did you inquire as to Mr. Aylward as to whether he  
22 in fact executed these documents?

23 A. I did.

24 Q. And what did he say?

25 A. He said he was -- he provided me a list of

1 everybody that came in for notarial services on August 5th,  
2 2016, and there was nobody by the name of "I.J. Chen,"  
3 "Alison Gu," "Maddy Woo," (phonetic), that came in and paid  
4 for notarial services on that date.

5 Q. Did Mr. Aylward indicate to you whether he would've  
6 expected to be a record of him having provided notarial  
7 services?

8 A. He expected that there would be a record.

9 Q. If he had in fact done so.

10 A. Yes.

11 Q. If I could have just a minute, Your Honor.

12 Nothing further.

13 CROSS EXAMINATION BY DAVID L. MCCOLGIN, ASST. FEDERAL PUBLIC  
14 DEFENDER:

15 Q. Agent, I'd like to start right where we left off  
16 with the direct examination regarding the certificate of  
17 acknowledgment from Singapore. You indicated that the  
18 notary, Mr. Aylward, said that this document was not on his  
19 list of notarized documents for August 5th, 2016; is that  
20 correct?

21 A. Not the document, itself, but the -- he provided  
22 the name of people who came in for notarial services on that  
23 date, and the name "I. Chen" was not on that list. He  
24 didn't have a record of the actual document that was  
25 notarized.

1 Q. So he keeps a list of names of people who have  
2 received a notary, received a document notarized; is that  
3 correct?

4 A. He keeps a list of people that came in for  
5 services, consular services for each day that he's providing  
6 those services.

7 Q. You did not ask him to check on August 4th, or 3rd,  
8 or the 6th or 7th, correct, to see if that name appeared on  
9 a list?

10 A. I asked him for August 5th.

11 Q. You only asked him for August 5th.

12 A. Yes.

13 Q. Regarding the hearing for which there's a  
14 transcript, Government Exhibit 1, from August 16th, 2016, of  
15 course you were not present for that hearing, correct?

16 A. That's correct.

17 Q. And the parties for that hearing appeared by  
18 telephone; is that correct?

19 A. I believe so, yes.

20 Q. Insofar as you know, no one has listened to the  
21 tape of that hearing in order to make any sort of voice  
22 identification of the person who identifies herself as "Ms.  
23 Chen," correct?

24 A. As far as I know, that's correct, yes.

25 Q. And the person who identifies herself as "Ms. Chen"

1 never identifies herself as "Alison Gu" during that  
2 transcript, correct?

3 A. Correct.

4 Q. Now the attachments, which the Government is  
5 calling exhibits to Government Exhibit 1, the last page  
6 consists of a U.S. Postal Service receipt; is that right?

7 A. That's correct.

8 Q. So it would appear that those documents were sent  
9 pursuant to that particular postal receipt; is that a fair  
10 interpretation?

11 A. I believe, yes, that's fair.

12 Q. And a postal receipt indicates that the documents  
13 were sent by Matthew Able.

14 A. Correct.

15 Q. There's no indication on that postal receipt that  
16 they were sent by Alison Gu, correct?

17 A. Correct.

18 THE COURT: Mr. McColgin, I misunderstood your  
19 initial objection, I -- in -- well-taken that these are not  
20 exhibits to the transcript, these are court documents  
21 related to the civil action. You're correct in your  
22 objection that these are not exhibits to the transcript.

23 Q. Thank you, Your Honor. I have no further  
24 questions, Your Honor.

25 THE COURT: Anything further?

1 REDIRECT EXAMINATION BY MICHAEL P. DRESCHER, ASST. UNITED  
2 STATES ATTORNEY:

3 Q. Do you know who Matthew Able is?

4 A. Yes, I do.

5 Q. Who is he?

6 A. He has a relationship with Ms. Gu,  
7 boyfriend-girlfriend type relationship.

8 Q. So far as you know, do they live together?

9 A. Up until recently I believe they had been living  
10 together in Cheshire, Connecticut. I believe Ms. Gu now  
11 lives in Windhall, Vermont.

12 Q. Do you have a sense for how long Ms. Gu and  
13 Mr. Able have been together?

14 A. Multiple years, at least since 2015.

15 Q. Nothing further.

16 THE COURT: Okay, you're excused.

17 A. Thank you.

18 THE COURT: Does the Government have any additional  
19 evidence to present?

20 MR. DRESCHER: We do not, Your Honor.

21 THE COURT: Does the Government rest?

22 MR. DRESCHER: It does.

23 THE COURT: Mr. McColgin, do you wish to present  
24 any evidence, or do you wish to rely on argument?

25 MR. MCCOLGIN: Wish to rely on argument, Your

1 Honor.

2 THE COURT: Mr. Drescher.

3 MR. DRESCHER: Your Honor, the issue before the  
4 court is whether there's probable cause to conclude that Ms.  
5 Gu has violated section 1017 of Title 18 in connection with  
6 the -- the pages relating to the Singapore notarization, or  
7 what appear to be a Singapore notarization that is part of  
8 Exhibit 1. I'll note at the outset, that while those  
9 documents do not appear -- Your Honor is correct, in that  
10 the transcript of -- that is Exhibit 1 do not make reference  
11 to those documents as exhibits.

12 The transcript that is Exhibit 1 include several  
13 admissions by both Mr. Able and Ms. Chen, Ms. Gu, that they  
14 had prepared affidavits; that they had tried to mail them  
15 in; that they had a mailing receipt for them dated August  
16 10th, and that the content of that transcript should provide  
17 the -- in addition to the other connections between Ms. Gu  
18 and the Cocoa Beach property, the litigation and the Cocoa  
19 Beach property, and -- and that the content of the  
20 transcript makes reference to Ms. Chen and Mr. Able having  
21 prepared notarization, that these were prepared by them.

22 In order to violate section 1017, it's not  
23 necessary that the document actually was treated as an  
24 exhibit in court, but merely, that Ms. Chen -- Ms. Gu,  
25 rather, procured or transferred a document to which was

1 affixed the seal of an agency of the United States, and that  
2 she knew that the seal had been fraudulently-affixed. I  
3 think the fact that there is no evidence of Ms. Gu having  
4 been in Singapore in August of this year -- of last year,  
5 rather, in fact had she been in Singapore of August of last  
6 year, that would have been in violation of her conditions --

7 THE COURT: Isn't the certification evidence of her  
8 being in Singapore?

9 MR. DRESCHER: In some circum -- if she wishes to  
10 argue that she was in Singapore on August 5th, I suppose it  
11 could be self-authenticating in that regard.

12 THE COURT: Well, she doesn't have any burden here  
13 to make any arguments.

14 MR. DRESCHER: But my -- by virtue of the fact that  
15 there is zero evidence maintained by Mr. Aylward regarding  
16 his provision of notarization services on August 5th, by  
17 virtue of the fact that Ms. Gu would not have been permitted  
18 to have traveled on August 5th, it is -- I believe there is  
19 sufficient evidence for the court to find probable cause  
20 that Ms. Gu prepared and used the document that are the  
21 second and third to last pages of Exhibit 1 in violation of  
22 section 1017.

23 THE COURT: One has to wonder, what is the purpose  
24 of this document?

25 MR. DRESCHER: The review of the transcript



1 suggests that Ms. Gu and Mr. Able were under a misimpression  
2 with regard to how to avoid the entry of summary judgment  
3 against them in connection with the litigation. The  
4 litigation itself was a dispute over whether Ms. Gu, known  
5 to the seller as "Ms. Chen and Mr. Able," were obligated to  
6 pay for the personal property, furniture that was present at  
7 the Cocoa Beach property, and that was the substance of  
8 the -- of the --

9 THE COURT: That's the allegation.

10 MR. DRESCHER: -- of the litigation, that was the  
11 allegation. And that the Plaintiff in that case, who was  
12 represented, appears to have filed a summary judgment  
13 motion. And that I believe, if you look at the content of  
14 the two affidavits that Ms. Gu and Mr. Able were trying to  
15 put in front of the court, they seem to have been under the  
16 misimpression that if they just sort of asserted that they  
17 had information to provide, that that would somehow  
18 establish the -- the entry of summary judgment would not be  
19 appropriate. And the content of the transcript itself makes  
20 clear that that's what they understood it to be.

21 THE COURT: But again, what's -- I don't understand  
22 it, it's just pure conjecture to make this inquiry. What's  
23 the purpose of this certificate of acknowledgment in the  
24 larger context of the civil lawsuit? What relevance is it?

25 MR. DRESCHER: If the -- as evidence of -- as I

1 will call it, my assertion is that it's fake evidence of  
2 notarization. If something -- if a notarized statement or  
3 an affidavit was necessary to avoid probable cause, there  
4 would be -- it would be a necessary condition of what -- it  
5 would be necessary to provide that in order to avoid  
6 probable cause.

7 Now given the timing and other procedural problems  
8 in the context of that litigation, there are plenty -- there  
9 appear to have been plenty of reasons why summary judgment  
10 was entered against Mr. Gu (sic) and Ms. Able (sic).

11 THE COURT: All right, so let's -- Mr. Drescher  
12 seems to have focused only on the question of probable  
13 cause, so Mr. McColgin, do you wish to address the question  
14 of probable cause?

15 MR. MCCOLGIN: Yes, Your Honor. I don't believe  
16 there is probable cause to believe there is a violation in  
17 this case for multiple reasons. First of all, the  
18 Government hasn't shown that this document, whatever sort of  
19 document we call it, not an exhibit, or whatever it is, the  
20 document from Singapore, in fact is invalid. The agent  
21 testified that he did speak to the notary, Mr. Aylward.  
22 There's no testimony that Mr. Aylward said, yeah, that's a  
23 false document, he --

24 THE COURT: You really wonder -- that would put  
25 your client in Singapore.

1 MR. MCCOLGIN: That would put a Ms. I. Jen Chen  
2 (phonetic) in Singapore. We, Your Honor, contend that  
3 that's not my client. There's no evidence that that is my  
4 client. So we have multiple layers here.

5 First of all, one, there's no evidence that that is  
6 a false document that was filed, as the Government is  
7 claiming. It could have simply been incorrectly dated, or  
8 maybe they didn't put this particular notarization on their  
9 list, who knows? But there's no -- there's simply no  
10 evidence that that is false. Even if we assume it's false,  
11 however, Your Honor, there's no evidence as to who the "I.J.  
12 Chen" was who appeared on the phone with Mr. Able. There's  
13 no voice identification. The "Chen" doesn't say "I am  
14 Alison Gu." There's simply no evidence as to who that  
15 person was.

16 Thirdly, there's no evidence that it was my client  
17 who submitted that document from Singapore. It appears to  
18 have been sent in by Matthew Able, not by my client. We  
19 have --

20 THE COURT: She references the postal receipt where  
21 she -- whoever A. Chen (phonetic) is in the argument  
22 references a postal receipt and brings it to the attention  
23 of the court that the documents were filed. And there's  
24 reliance on these documents by whoever "I. Chen" is in the  
25 civil action.

1 MR. MCCOLGIN: Well, in any event, Your Honor,  
2 there's no evidence as to who that "I. Chen" was. The  
3 Government simply hasn't -- is unable to connect that up to  
4 my client. And the fact that there's a driver's license  
5 from New Hampshire not found in my client's house or on my  
6 client's person in the name of "I. Jen Chen" doesn't  
7 indicate that that was my client who was involved in this  
8 transcript.

9 And likewise the fact that even Mr. Able's house,  
10 where my client was also living, there's these credit cards  
11 in the name of "I. Jen Chen," again, that does not indicate  
12 that it was my client who was claiming to be "I. Jen Chen."  
13 So I think on multiple layers the Government has not  
14 established probable cause to believe that my client  
15 committed an offense.

16 MR. DRESCHER: May I respond, briefly?

17 THE COURT: Yes.

18 MR. DRESCHER: So with regard to the identity of  
19 "I. Chen," Your Honor has seen the driver's license that was  
20 obtained, that has the Defendant's face on it in the name of  
21 "I. Chen." Your Honor has seen, I believe it's Exhibit 6,  
22 which is the fake Alabama Probate Court seal that matches  
23 the seal that was put on the fake document purporting to  
24 change the name of the young woman long since deceased to  
25 whom the Social Security number subsequently associated with

1 "Chen" has -- was also found in her residence, along with  
2 credit cards in the name of "I. Chen" that was also found in  
3 her residence.

4 Along with the fact, that as recently as last week,  
5 by virtue of the motion that was filed seeking the court's  
6 permission to travel, we know that this Defendant Ms. Gu, is  
7 associated with the very address in Cocoa Beach that the "I.  
8 Chen" and -- that somebody by the name of "I. Chen" was  
9 involved in litigation over back in -- last year in Florida.  
10 The fact that this Defendant was in that location, the fact  
11 that the credit cards and the probate seals were in this  
12 Defendant's house, and that the use -- that the probate --  
13 the Alabama probate seals were used in furtherance of the  
14 scheme to get the driver's license that has "I. Chen's" name  
15 on it, with her photograph on it, all strongly-suggest that  
16 I. Chen and Ms. Gu are the same person, and that Ms. Gu and  
17 the Cocoa Beach property are connected, as well.

18 THE COURT: Well, let me ask you about 1017, Mr.  
19 Drescher, 1017 focusing on the language that is relevant to  
20 your argument based on "unlawful for anyone to fraudulently  
21 or wrongfully use by, procure, or sell, or transfer to  
22 another a certificate, instrument, or commission, which  
23 bears a seal, which has been fraudulently-affixed or  
24 impressed." What is the evidence that this seal was  
25 fraudulently-impressed or affixed?

1 MR. DRESCHER: The fact that when the consul in  
2 Singapore was asked whether they'd ever provided  
3 notarization services on the date indicated to anybody by  
4 the name of "I. Chen", or by any of her aliases, the answer  
5 is no.

6 THE COURT: Well, in connection with this matter,  
7 the first task before the court is to determine whether or  
8 not there is probable cause to believe that a violation of  
9 18 U.S.C. Section 1017 has been committed. And then if that  
10 finding is made, the court will then proceed to invite  
11 counsel to make argument on the second half of the section  
12 3148 equation whether or not the Defendant would abide by  
13 any condition of release.

14 The court has before it substantial evidence to  
15 show that this Defendant Alison Gu is in fact the I. Chen,  
16 who is the civil litigant pending in Brevard County. That  
17 evidence includes such things as the following: The  
18 Government has seized Visa cards from Ms. Gu's residence, in  
19 which the name "I. Chen" is embossed on several of these  
20 Visa cards. The Government has presented evidence that the  
21 investigator contacted the New Hampshire Department of Motor  
22 Vehicles and ascertained that the individual who identified  
23 herself as "I. Chen," who bears a substantial resemblance to  
24 the Defendant Ms. Gu, filed an application for a New  
25 Hampshire ID card, in which the applicant utilized a Florida

1 birth certificate in the name of "Ho T. Win," (phonetic).

2 The applicant also included a certificate  
3 purportedly from a Montgomery, Alabama Probate Court  
4 indicating a name change from "Ho D. Win," (phonetic), to  
5 "I.J. Chen." The investigator testified credibly that he  
6 contacted the Alabama County Court, Probate Court in  
7 Montgomery County, and was advised that the order or  
8 certificate was fraudulent, and in fact the Government, in  
9 the execution of its search warrant, seized a stamp bearing  
10 the emboss of the Montgomery County, Alabama Probate Court.  
11 That stamp was seized from the residence of this Defendant.  
12 The officer ascertained that the Social Security card -- a  
13 Social Security card was issued -- excuse me, was offered to  
14 New Hampshire by the name of "I.J. Chen."

15 Moreover, the civil action in Brevard County  
16 focuses upon a breach of contract arising from the sale of  
17 385 Cedar Avenue in Cocoa Beach, Florida. This Defendant,  
18 herself, asked the court for permission to travel to 385  
19 Cedar Avenue, Cocoa Beach, Florida in a recent filing before  
20 this court. I am persuaded that the "I. Chen" who is the  
21 civil Defendant in the Brevard County action is indeed  
22 Alison Gu, the indicted Defendant in this action.

23 Counsel argues that the evidence indicates that it  
24 was Mr. Able who furnished these documents to the Brevard  
25 County Court, these documents being the certificate of

1 acknowledgment, as well as the declarations in response to  
2 motions for summary judgment. A review of the transcript  
3 reveals that Ms. Chen makes specific reference to these  
4 documents and relied upon them in her argument to the court.  
5 It may have been Mr. Able who mailed these documents to the  
6 court, but it's clear that Ms. Chen, also known as Ms. Gu,  
7 used them in the course of her argument before the court and  
8 therefore was well aware of their existence.

9 Quite frankly, I'm befuddled as to why the  
10 certificate of acknowledgment had any relevance, whatsoever,  
11 to the Defendant's response to the Plaintiff's motion for  
12 summary judgment, but it is clear to me that Ms. Gu, Ms.  
13 Chen submitted them to the court as part of her response,  
14 and that these documents -- at least there is probable cause  
15 to believe that these documents bear the embossed seal of  
16 the United States.

17 With particular reference to the United States  
18 Embassy in Singapore, I note that the application filed by I.  
19 Chen bears the stamp of the Republic of Singapore, Embassy  
20 of the United States, which corroborates the fact that the  
21 certificate by the consular officer was used as part of the  
22 same litigation.

23 I am persuaded that there is at least probable  
24 cause to believe that Ms. Chen, also known as Ms. Gu, has  
25 violated section 1017 of Title 18 of the United States Code.



1           At this time, let us proceed to the second half of  
2 the equation involving 3148, which is to determine whether  
3 there are any conditions Ms. Gu would abide by.

4           Mr. Drescher.

5           MR. DRESCHER: Your Honor, I note that Ms. Gu is  
6 currently subject to probation based upon a conviction in  
7 New York State Court. At the time, she engaged in the acts  
8 that gave rise to the court's just-made finding of probable  
9 cause. She was subject to a condition of this court to  
10 condition number 1 in her order of release to commit no  
11 crimes. It appears that while she is subject to the  
12 supervision of multiple courts, there is evidence to  
13 conclude she continues to commit a felony in the case of the  
14 1017 violation.

15           Under those circumstances, I think it's appropriate  
16 for the court to conclude, one, that Ms. Gu presents a  
17 danger, in the sense that she doesn't seem to be able or  
18 willing to comport her conduct to the law despite the fact  
19 that she's under several court orders to do so. And that  
20 there's also -- it would also be reasonable to conclude that  
21 she is unwilling or unable to abide by conditions imposed by  
22 the court, and for those reasons, we think her release  
23 should be revoked.

24           THE COURT: Mr. McColgin.

25           MR. MCCOLGIN: Your Honor, first of all, these

1   allegations are very dated, this goes back to August of last  
2   year, and the Government had mentioned these allegations to  
3   me in I believe it was September or October when I met  
4   with -- it's a different prosecutor, but still, mentioned  
5   that to me. The Government, at that time, saw no reason to  
6   believe that Ms. Gu was a danger to the community or a risk  
7   of flight.

8           Approximately eight months has passed. Now all of  
9   a sudden they're making this allegation. I think the fact  
10   that it's so dated, so much time has passed, in itself,  
11   indicates that there's no indication that she is an ongoing  
12   danger to the community. The pre-trial services has not  
13   moved that her conditions be revoked on this basis, they  
14   were aware of them, as well.

15           Your Honor, Ms. Gu has very strong ties. She is  
16   currently living with three of her children in Windhall,  
17   Vermont. One of them is attending school there,  
18   15-years-old, the other two are being home-schooled.

19           THE COURT: By whom?

20           MR. MCCOLGIN: By -- well, there's a -- she's  
21   assisting in the home-schooling, and also there's computer  
22   programs that are available, so for on-line home-schooling,  
23   at this point.

24           So she spends most of her time, probably five days  
25   of the week most weeks up in Windhall, Windhall, Vermont.

1 She does have some connections to some traveling down to  
2 Connecticut, but most of her time is up here with her  
3 children. She clearly is not a risk of flight, Your Honor.  
4 Approved to travel to Florida, she's back here today,  
5 knowing full well that this is a detention hearing. She's  
6 clearly not a risk of flight.

7           Given that these allegations are so dated, I don't  
8 think that there's a basis for saying that she is an ongoing  
9 danger to the community. Given her community ties and the  
10 dated nature of these allegations, Your Honor, and the fact  
11 that pre-trial services has not asked that her release be  
12 revoked, I think it is appropriate that she be continued on  
13 release.

14           THE COURT: All right, well, in connection with  
15 this matter, the court has entered revised conditions of  
16 release that are fairly strict. I accept Mr. McColgin's  
17 argument that the offense conduct for which I found probable  
18 cause did occur sometime ago, and the Government was well  
19 aware of this conduct, it appears. So that does not mean to  
20 excuse the criminal conduct for which the court has found  
21 probable cause, but I think the core of protecting  
22 conditions of release would satisfy the requirement that the  
23 court should set conditions of release where they would be  
24 sufficient to address the safety of the community.

25           In connection with this matter, I'm going to revise

1 again the conditions of release. I'm going to deny the  
2 motion to vacate the order citing conditions of release.  
3 I'm going to revise the existing conditions to include  
4 electronic-monitoring. I'm going to require that Ms. Gu  
5 participate in the following location-monitoring component  
6 and abide by its program rules and regulations.

7 I'm going to impose the requirement that Ms. Gu be  
8 subject to home detention. She is restricted to her  
9 residence at all times, except for employment, education,  
10 religious services, medical or substance abuse, mental  
11 health treatment, attorney visits, court appearances,  
12 court-ordered obligations and other activities approved by  
13 the pre-trial service office.

14 I'm going to require her to submit to  
15 location-monitoring as directed by the pre-trial service  
16 office, and she is to pay all or part of the cost of the  
17 program based on her ability to pay. I'm going to add that  
18 to the existing conditions, with the understanding that if  
19 there are any violations, any further violations in the  
20 conditions of release, Ms. Gu would be subject to the  
21 issuance of an order of arrest, a warrant of arrest and an  
22 order of detention. That is the finding of the court.

23 I'll ask Mr. Jarvis to prepare these revised  
24 conditions. Any further argument?

25 MR. MCCOLGIN: Nothing further, Your Honor.

1 I do have a question, which I should probably raise  
2 now because it's going to come up, but Your Honor had  
3 previously granted permission for Ms. Gu to travel to  
4 Florida. She's been going there, she indicates, in order to  
5 help care for her father who's ill.

6 Would Your Honor entertain future requests to  
7 travel to Florida, or would you take that on a case by case  
8 basis?

9 THE COURT: I'd take that up on a case by case  
10 basis.

11 MR. MCCOLGIN: Very well, Your Honor.

12 THE COURT: Thank you.

13 MR. DRESCHER: Thank you.

14 THE COURT: Thank you.

15 MR. MCCOLGIN: Thank you, Your Honor.

16 THE CLERK: All rise.  
17  
18  
19  
20  
21  
22  
23  
24  
25

## 1 CERTIFICATE

2 I, PAMELA MAYO HAMEL, hereby certify that the  
3 foregoing pages, numbered 3 through 45, inclusive, are a  
4 true, accurate and complete transcription, to the best of my  
5 ability, of a Recorded Motion to Revoke Conditions of  
6 Release, held on April 3, 2017, in the matter of UNITED  
7 STATES OF AMERICA V ALISON GU, File No. 2:16-cr-00084-1, at  
8 the U.S District Court for the District of Vermont,  
9 Burlington Div., 11 Elmwood Avenue, Burlington, Vermont.

10  
11  
12  
13 *Pamela Mayo Hamel*

14 Pamela Mayo Hamel

